

17 December 2018

Stevens Holdings Pty Limited

Preliminary Documentation – Final Submissions Report

Iluka Residential Subdivision, Hickey Street, Iluka NSW (Lot 99 DP823635)
Environment Protection and Biodiversity Conservation Act 1999 (EPBC 2017/8003)

OCEAN PARK CONSULTING

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Overview:	Proponent:	Stevens Holdings Pty Limited
This Final Submissions Report provides a response to the submissions received in relation to the invitation for public comment, pursuant to the Environmental Protection and Biodiversity Conservation Act 1999, for the preliminary documentation relating to the proposed residential subdivision at Hickey Street, Iluka, NSW.	Proponent Contact:	Ben Johnson
	Proponent Reference:	Iluka Residential Subdivision

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ATTACHMENT 2 – Invitation for Public Comment

ATTACHMENT 3 – PD – Submissions and Issues Raised Matrix

ATTACHMENT 4 – Submissions Received

1.0 EXECUTIVE SUMMARY

1.1 Purpose of this Submissions Report

The purpose of this Submissions Report is to address the submissions received in response to the Invitation for Public Comment to the Department of Environment and Energy determined “Controlled Action”, pursuant to the Environment Protection and Biodiversity Conservation Act 1999 for the proposed residential subdivision of Lot 99 DP823635, situated at Hickey Street, Iluka, New South Wales.

This report provides:

- a description of the Preliminary Documentation Invitation for Public Comment;
- a description of the submissions received during the public exhibition phase;
- a summary of the issues raised;
- a response to the issues raised; and
- confirmation there are no required amendments to the Preliminary Documentation for the residential subdivision at Hickey Street, Iluka, New South Wales.

1.2 The Community Subdivision, Land Owner and the Proponent

The Birrigan Gargle Local Aboriginal Land Council (BGLALC) is the owner of the land, Lot 99 DP823635, the subject of the community subdivision development application.

The BGLALC letter dated 3 April 2018 provides the description of the importance of development of the BGLALC land at Iluka (refer Attachment 1).

The BGLALC have a specific vision for its land situated in Hickey Street, Iluka, as it will generate income to support its community vision including cultural interaction, education and training, employment, housing, improvements to Ngaru Village, support programs, crafts, transport, and playgrounds.

The community subdivision is a means to generate an income for the BGLALC. The community subdivision will facilitate the BGLALC vision and enable the BGLALC community to strengthen its future direction towards self-determination, and moving towards reaching its goals in a timely manner.

The BGLALC (the Land Owner) have entered into an agreement with Stevens Holdings Pty Limited (The Proponent) to develop the land by way of a residential subdivision.

The Community Scheme Subdivision, to create 141 lots comprising 140 residential lots and one (1) community property lot containing retained bushland in park areas, is shown on the drawings listed in Table 1.1 – Development Drawings of the Preliminary Documentation.

TABLE 1.1 – DEVELOPMENT DRAWINGS			
Drawing No.	Title	Date	Prepared By
PO147-04	Masterplan	June 2017	onecollective URBANDESIGNSTUDIO
PO147-05	Vegetation Zones	June 2017	onecollective URBANDESIGNSTUDIO
PO147-06	Development Staging Plan	June 2017	Onecollective URBANDESIGNSTUDIO
PO147-07	Management Units – External Road Verge	March 2018	Onecollective URBANDESIGNSTUDIO
PO147-08	Management Units – New Public Road Verge	June 2018	Onecollective URBANDESIGNSTUDIO
PO147-09	Indicative Community Scheme - Staging First Development Lot	June 2017	Onecollective URBANDESIGNSTUDIO
PO147-10	Indicative Community Scheme Staging - Key Elements	June 2017	Onecollective URBANDESIGNSTUDIO

1.3 ‘Controlled Action’ – Preliminary Documentation

On 11 December 2015, a Development Application has been lodged with Clarence Valley Council, NSW for a residential subdivision of Lot 99 DP823635 Hickey Street, Iluka, NSW.

On 7 August 2017, the proponent lodged with the Australian Government Department of Environment and Energy, the original EPBC Act Referral Form and Attachments – Iluka Residential Subdivision, Hickey Street, Iluka, NSW (refer Attachment 8).

On 6 October 2017, a delegate for the Minister of the Commonwealth, Department of Environment and Energy (DEE) determined that the proposed subdivision is a “Controlled Action” within the meaning of the Environment Protection and Biodiversity Conservation Act 1999 (EPBCA) and is to be assessed by way of the submission of Preliminary Documentation.

On 25 October 2017, the Australian Government Department of Environment and Energy (DEE) advised the preliminary documentation additional information details required to be provided to respond to the DEE.

As part of the Australian Government Department of Environment and Energy considerations, the “Preliminary Documentation” prepared for the Iluka Subdivision was placed on public exhibition from 24 September 2018 to 2 November 2018.

1.4 Preliminary Documentation – Invitation for Public Comment

The Stevens Holdings Pty Limited Preliminary Documentation – Iluka Residential Subdivision Invitation for Public Comment was published in the Sydney Morning Herald and Daily Examiner newspapers on 22 September 2018 and 6 October 2018.

1.5 Submissions Received

There were a total of 17 submissions received during the exhibition period 24 September 2018 to 2 November 2018.

The submissions were provided by:

▪	Community Residents	-	9
▪	Individuals	-	2
▪	Organisations	-	<u>6</u>
	TOTAL	-	<u>17</u>

From the submissions received;

- (i) there were two (2) submissions that could be classified as being “for the development”;
- (ii) there were two (2) submissions that could be classified as being against the development in its current form and suggested a development with less allotments may be appropriate; and
- (iii) there were thirteen (13) submissions that could be classified as being “against the development”.

The summary of the key issues raised in the submissions were as follows:

- Land ownership;
- Significance of the ecological values of the site;
- Recognition of land use and social and economic value benefit;
- Impact of urbanisation on the World Heritage Area;
- Impact of the development on the identified “Listed Threatened Species and Communities”.

All submissions received are listed in full in Attachment 3.

This Submission Report has been structured to capture and respond to the issue/s identified in the submissions received.

1.6 Response to Submissions

An analysis is provided in relation to the submissions made. This report is structured to review a submission against a particular section of the Preliminary Documentation document.

For each submission issue raised, there is a corresponding response provided with a cross reference to the Preliminary Documentation.

1.7 Conclusion – for Preliminary Documentation public comment process

The Preliminary Documentation for the Stevens Holdings Pty Limited proposed Iluka Residential Subdivision, Hickey Street, Iluka NSW, provides a detailed and integrated assessment of the existing environment, direct and indirect impacts on the EPBC Act Gondwana Rainforests of Australia (Iluka Nature Reserve) Nominated Outstanding Universal Values (OUV) Constituent Species, and economic and social matters from the proposed Iluka Residential Subdivision as outlined in the Preliminary Documentation, and as forming part of the development application lodged with the Clarence Valley Council.

Land Ownership - As identified in the Preliminary Documentation the land owners, the Birrigan Gargle Local Aboriginal Land Council as advised in its vision, the Hickey Street development will assist the BGLALC achieve its vision for the community as it is a step toward self sufficiency, a step toward self determination, cultural interaction, education and training, employment, housing, improvements to Ngaru Village and support programs.

This is in conformance with economic self sufficiency national context as contained in the Australian Government – Aboriginal and Torres Strait Islander Act 2005 – Objects (part):

Maximum participation of Aboriginal persons and Torres Strait Islanders;
Promote development of self-management and self-sufficiency;
Further economic, social and cultural development;

of Aboriginal persons and Torres Strait Islanders.

The Iluka Residential Subdivision, Hickey Street, Iluka NSW (Lot 99 DP823635) Preliminary Documentation, was placed on public advertising and exhibition between 24 October 2018 and 2 November 2018.

As part of the public exhibition process there were 17 submissions received from community residents, individuals and organisations.

The submissions received have been reviewed and issues raised have been provided with a response to finalise the Preliminary Documentation.

This Submissions Report lists the issues raised and the response to the issues have been provided.

The conclusion drawn from the Preliminary Documentation response demonstrates the proposed development by way of Community Subdivision of the land can be managed to minimise impacts on the environment and is environmentally acceptable.

The key attributes of the Preliminary Documentation include:

- Suitably Qualified Specialist input has been provided for the assessment and management of existing and proposed environmental and built form elements;
- Extensive site analysis undertaken and integrated input to the proposed development;
- The relevant Statutory Framework has been followed;
- Emphasis on proximity to World Heritage Property and National Heritage Place;
- Potential Impacts on species identified;
- Ameliorating and offsetting measures adopted;
- Environmental management and reporting developed;
- Strategic position of the land within the Village of Iluka recognised.

Submissions Report to be forwarded to DEE and the Environment Minister - As required by the Australian Department of Environment and Energy (DEE), and the provisions of the Environment Protection and Biodiversity Conservation Act 1999, this Submissions Report, the final Preliminary Documentation and copies of all submissions received will be forwarded to the DEE and the Environment Minister for consideration.

2.0 INVITATION FOR PUBLIC COMMENT

On 22 September 2018 an “Invitation for Public Comment” was published in the following newspapers:

- Sydney Morning Herald;
- The Daily Examiner.

A copy of the “Invitation for Public Comment” and an extract from each newspaper is listed in Attachment 2.

On 24 September 2018 the Stevens Holdings Pty Limited Preliminary Documentation – Iluka Residential Subdivision, Hickey Street, Iluka NSW (Lot 99 DP823635) (EPBC 2017/8003) were on display at the following locations:

- Clarence Valley Council Administrative Centre – 2 Prince Street, Grafton, NSW;
- Clarence Valley Council Administrative Centre – 50 River Street, Maclean, NSW;
- Iluka Library – Corner Duke Street & Micalo Street, Iluka, NSW;
- NSW Office of Environment and Heritage – NSW National Parks and Wildlife Service, Level 4, 49-51 Victoria Street, Grafton, NSW;
- Online at www.stevensgroup.com.au.

The close date for public comment being 23 October 2018.

On 6 October 2018 an “Invitation for Public Comment” was published in the following newspapers:

- Sydney Morning Herald;
- The Daily Examiner.

The proponent considered the originally advertised online website pathway may not have been clear for an external user due to maintenance and amendments to the Stevens Group website in the lead up to and around the date of the original Public Advertising on Saturday, 22 September 2018.

The purpose of the amendment to the advertising was twofold:

- (i) to clarify in the reference to the online facility to the Stevens Group website;
- (ii) it provided an extension of time to the last day for receipt of submissions to 2 November 2018.

A copy of the “invitation for Public Comment” and an extract from each newspaper is listed in Attachment 2.

On 2 November 2018 - the time period closed for receipt of public comments made in relation to the publicly advertised Preliminary Documentation – Iluka Residential Subdivision, Hickey Street, Iluka NSW (Lot 99 DP823635) (EPBC 2017/8003).

3.0 SUBMISSIONS RECEIVED - OVERVIEW

3.1 Submitter Entity

There were a total of 17 submissions received during the exhibition period 24 September 2018 to 2 November 2018.

The submissions were provided by:

▪ Community Residents	-	9
▪ Individuals	-	2
▪ Organisations	-	<u>6</u>
TOTAL	-	<u>17</u>

From the submissions received;

- (i) there were two (2) submissions that could be classified as being “for the development”;
- (ii) there were two (2) submissions that could be classified as being against the development in its current form and suggested a development with less allotments may be appropriate; and
- (iii) there were thirteen (13) submissions that could be classified as being “against the development”.

For completeness there was one (1) submission received by mail in the Ocean Park Consulting (OPC) mail box on the 12 November 2018. This date is beyond the close date for public comment, being the 2 November 2018.

A check of the submission found it was dated the 1 November 2018, and the submission was a “copy” of a submission that was emailed. The emailed version was received on the 2 November 2018. The submission received by mail (12 November 2018) has not been added as an additional submission. This submission (via email version) is already included in the total of submissions received and has been included in the assessment and response to submissions.

3.2 Submission Origin

The origin of submissions were from:

▪ Iluka, NSW	-	9
▪ South Grafton, NSW	-	1
▪ Queanbeyan, NSW	-	1
▪ Woombah, NSW	-	1
▪ PO Box Iluka, NSW	-	1
▪ PO Box Yamba, NSW	-	1
▪ Street / Town address not provided	-	<u>3</u>
TOTAL	-	<u>17</u>

3.3 Submission Issue Raised

An analysis is provided in relation to the submissions made. This report is structured to review a submission against a particular section of the Preliminary Documentation document. Each submission issue raised was identified with a corresponding response provided with a cross reference to the Preliminary Documentation – Iluka Residential Subdivision.

A summary is provided that identifies the submission issue raised and cross referenced against the Preliminary Documentation section and this Submissions Report section. Reference is made to Attachment 3 – PD Submissions and Issues Raised Matrix.

The issue raised in the submissions have been grouped and analysed under the respective ‘Preliminary Documentation’ report section generally as follows:

Preliminary Documentation + Submissions Report Section	Submission Issue
Description of the Action	Land Ownership
	Urban form versus loss of connectivity and habitat
	Aboriginal Cultural Heritage
Description of existing environment	Ecological values of the site
Direct and indirect impacts upon EPBC Act listed Threatened Species and Ecological Communities	Actual impacts not potential impacts
World Heritage Properties	Urbanisation impact on World Heritage Property
National Heritage Place	Urbanisation impact on National Heritage Place
Listed Threatened Species and Communities	
Koala	Impact on Koala
Scented Acronychia	Assessment of Scented Acronychia
Spot-tailed Quoll	Impact on Spot-tailed Quoll
Grey-headed Flying-fox	Impact on Grey-headed Flying-fox
Gondwana Rainforest of Australia (Iluka Nature Reserve) Nominated OUV Constituent Species	Impact on Gondwana Rainforest (OUV) Species
Proposed Avoidance, Mitigation and Management Measures	Effectiveness of Avoidance, Mitigation and Management Measures
Offsets consideration	Scope and extent of Offsets
Economic and Social Matters	Proposed development attributes
	Impact on Iluka and Clarence Valley environmental tourism

3.4 Overview of description of response to submissions

The submissions overview and response are provided in Section 4.0 of this Submissions Report. The submissions received as part of the “Invitation for Public Comment” process are listed in full in Attachment 3.

The submissions have been considered in relation to the particular “issue” raised:

- **“Submission Issue”**

The submitter entity is provided under the subheading:

- **“Submitter Entity”**

The issue identified in the submissions are summarised under the subheading:

- **“Summary of Submission Issue”**

For each respective issue, there is a corresponding response provided under the subheading;

- **“Response to Submission Issue”**

4.0 SUBMISSIONS OVERVIEW AND RESPONSE

4.1 Description of the Action

4.1.1 *Submission Issue*

- Land Ownership
- Urban Form Versus Loss of Connectivity and Habitat
- Aboriginal Cultural Heritage

4.1.2 *Submitter Entity*

- Community Residents;
- Organisations.

4.1.3 *Summary of Submission Issue*

4.1.3.1 *Land Ownership*

- Submission suggests an opportunity exists for endangered littoral rainforest community at Iluka to expand within the Iluka Nature Reserve, and across the subject site, to join with similar rainforest on reserved land to the west, or the land be a buffer zone.

The development site be acquired, by the Government or the NSW National Parks Service, and added to the National Parks estate, to retain and enhance the important habitat connectivity it currently provides.

4.1.3.2 *Urban Form Versus Loss of Connectivity and Habitat*

- Separately to a total change in land ownership, a submission raised concern about the community management subdivision scheme and questioned the outcome if Council assumed responsibility for maintenance of public roads (road reserves) and public parks.
- Submitter notes their property will be one of the most effected by the development. The submitter acknowledges when the property was purchased knew the land adjacent was privately owned. Therefore would be developed in time.
- A submission lodged an interest in supply of infrastructure services for sewer pump stations.
- A counter view was provided by a submitter who contends with cleared land to the north and housing to the south the proposed development will create an impassable barrier for most fauna, and an entire wildlife corridor which is currently utilised by all the identified species of national significance, will be cut, and
- Loss of connectivity and wildlife habitat, combined with the addition of homes and additional motor vehicles, and an unknown number of domestic cats and dogs would result in an unacceptable level of impact on flora and fauna.
- Further submissions were made with respect to the development Impact on Coastal Cypress Pine Forest. This impact was considered unacceptable.
- Submission fully support the Birrigan Gargle Local Aboriginal Land Council's vision to generate income from this development, however the development in its present form does not protect the adjacent World Heritage listed Iluka Nature Reserve. Further view by submitter, even though the BGLALC vision is supported there is no support for the development.

4.1.3.3 Aboriginal Cultural Heritage and Archeological Assessment

- Submitter raises concerns relating to the Aboriginal Heritage Study and the Archeological Assessment process relating to “gravesites within the proposed development land and vicinity of Elizabeth Street fire trail”.

4.1.4 Response to submission

4.1.4.1 Land Ownership

The Preliminary Documentation section 3.0 “Description of the Action”, provides details of the land owner, The Birrigan Gargle Local Aboriginal Land Council, and its vision for its land (Lot 99 DP823635). A copy of the Birrigan Gargle Local Aboriginal Land Council letter is provided again in Attachment 1 of this report.

Section 3.2 and section 9.0 of the Preliminary Documentation provides details of the proponent, Stevens Holdings. The proposed subdivision is described in the Preliminary Documentation section 3.0. The proposed development is being progressed in accordance with the relevant Australian Government and New South Wales Government environmental and planning legislative framework and required consultation process, as described in the Preliminary Documentation section 3.3.

The land owners have not been approached by any Government agency with the view to acquire Lot 99 DP823635 for any purpose. Such consideration of land tenure to transfer to public ownership does not form part of the Preliminary Documentation as it is not an action that has been advised to the land owner by any Government agency.

The Preliminary Documentation section 3.0 references the various Development Drawings (the drawings are listed in Attachment 3), providing a clear description of private lands and public lands. The Preliminary Documentation section 6.8 provides further description of the associated Community Subdivision arrangements, key attributes, Community Management Statement, Instruments, Management Plans, and funding arrangements.

4.1.4.2 Urban Form Versus Loss of Connectivity and Habitat

The Preliminary Documentation section 3.0 – Description of the Action, and Section 6.0 – Proposed Avoidance, Mitigation and Management Measures, identifies where potential impacts have been identified, appropriate ameliorating and offsetting measures have been developed to be incorporated into the subdivision, and importantly for the ongoing Community Association implementation and management responsibilities.

The subdivision has evolved through the development application process including the input by the public advertising and responses made to the public advertising to be a community subdivision, that is, a subdivision to be managed by a Community Association with specific management responsibilities and implementation requirements. This type of subdivision differs from a “conventional” Torrens title subdivision, as the community subdivision requires the formation of statutory instruments to be registered and implemented. These instruments will include various management strategies and management plans relating to habitat management plan, landscape masterplan, bushfire plan, and various infrastructure plans.

The proposed residential subdivision by way of community subdivision reallocates responsibility from the Clarence Valley Council to the members of the Community Association (lot owners) for maintenance of bushland (open space areas), road verge areas both within the new development and in existing adjoining road verge areas.

In addition, there is an obligation on the Community Association to promote environmental awareness and responsible pet ownership, with the resultant benefits to its future residents, and to ensure future employees, contractors and subcontractors are aware of the environmental attributes of the land and adjoining areas.

The Preliminary Documentation details the various characteristics of these management strategies and plans. Further clarification, and to provide surety of implementation and timing of these management requirements, is contained in the Preliminary Documentation section 11.0 – Outcome Based Conditions.

The proposed community subdivision is situated in proximity to the Iluka Nature Reserve. The spatial position of the community subdivision is indicated on Figure 4.10.3.5. This shows the community subdivision is situated on the western side of Iluka Road, and there is a parcel of land on the eastern side of Iluka Road which forms part of the Bundjalung National Park and is identified as “undefined land”.

The configuration of the community subdivision allows for east-west connection with verge areas to be vegetated. These street and road configurations are of a design recognised for the benefits of water sensitive urban design attributes, and also provide verge areas for vegetation planting that will facilitate fauna movement. Other attributes of the subdivision configuration are identified in section 3.0 of the Preliminary Documentation.

The Coastal Cypress Pine (*Callitris columellaris*) – in the North Coast Bioregion is listed as Endangered Ecological Community (EEC) under the NSW Threatened Species Conservation Act (1995). It is not listed under the schedules of the Commonwealth Environmental Protection and Biodiversity Conservation Act (1999).

The largest and best developed example of the Coastal Cypress Pine Forest EEC will be retained and managed for conservation. This is located in part of the Community Lot 1 (Park C), as shown on the Iluka Subdivision Masterplan PO147-04.

References to the detailed ecological assessments and findings are listed in the Preliminary Documentation section 2.2.4.

Keystone Ecological has been contracted by Stevens Holdings Pty Limited to prepare an assessment of the likely impact of a proposed development upon nationally and state listed threatened flora and fauna and their habitats.

The development proposal has been investigated for its ecological impact by Keystone Ecological since 2014.

A consolidation of the reports by Keystone Ecological is listed in Attachment 6 of the Preliminary Documentation.

The consolidated report is known as - “*Ashby, E and McTackett, A. (2018) Ecological Response for Preliminary Documentation, Hickey Street, Iluka, Clarence Valley LGA. Unpublished report, Keystone Ecological*” - report dated 16 May 2018.

These Keystone Ecological assessments and findings include the Coastal Cypress Pine Forest EEC.

4.1.4.3 Aboriginal Cultural Heritage and Archeological Assessment

An Aboriginal Cultural Heritage Assessment and an Archeological Assessment has been prepared and adopted with all relevant stakeholders, and in accordance with the relevant Australian Government and NSW Government Legislation.

Reference is made to the PD section 3.4 which identifies an Aboriginal Cultural Heritage Assessment Report for Lot 99 Hickey Street, Iluka, dated August 2017, was prepared by Extent Heritage. In addition, an Archeological Assessment by Extent Heritage has been prepared and the findings evaluated finally by the NSW Police Service.

These assessments were conducted in compliance with the Australian Environment Protection and Biodiversity Conservation Act 1999, the Australian Government Aboriginal Torres Strait Islander Heritage Protection Act, the NSW National Parks and Wildlife Act 1974, the NSW Aboriginal Land Rights Act 1983, the Clarence Valley Local Environmental Plan LEP 2011.

To ensure the findings of the Aboriginal Cultural Heritage Assessment are referenced in the various phases of the subdivision development, an Aboriginal Cultural Heritage Management Protocol has been prepared by Ocean Park Consulting Pty Limited, dated 8 June 2018 (refer PD Attachment 7).

A Baseline Historical Archeological Assessment has been undertaken by Extent Heritage Pty Ltd.

The Birrigan Gargle Local Aboriginal Land Council, as owners of Lot 99 DP823635, reviewed the findings of the Extent Heritage Pty Ltd Baseline Historical Archaeological Assessment, and concluded this matter be referred to the New South Wales Police Force. The matter was referred to the New South Wales Police Force.

The NSW Police Force investigated the matter. There were no findings that required the land owner to take any further action.

4.2 Description of the Existing Environment

4.2.1 Submission Issue

- Ecological Values of the Site

4.2.2 Submitter Entity

- Organisations

4.2.3 Summary of Submission Issue

- Submitter contends onsite vegetation is not regrowth.
- Submitter advises submissions from the public and NSW Office of Environment and Heritage input resulted in a review and acknowledgement that section of onsite vegetation meets the criteria for littoral rainforest.

4.2.4 Response to submission

The Preliminary Documentation identifies the various ecological and other related specialist studies and assessments that have been undertaken for the land in the context of the proposed development. Reference is made to the Preliminary Documentation section 2.0 – Preliminary Documentation Format and Scope, and referenced in section 11.0 - Outcomes Based Conditions.

The proposed development has been the subject of community and referral agency input to the formal development application lodged with the Clarence Valley Council. This application was made pursuant to the NSW Environmental Planning and Assessment Act 1979 and the NSW Environmental Planning and Assessment Regulation 2000.

This process provided the opportunity for community input and agency input.

As a result of this process there have been additional assessments undertaken. Further, the proposed subdivision configuration has been amended to respond to the various input elements.

The Preliminary Documentation section 3.0 – Description of the Action, identifies the responses made to lessen the footprint of the urban form and to increase the retained bushland. This section also identifies the various management strategies to be implemented to minimise the impact of the proposed subdivision on flora and fauna.

The process being followed through the relevant provisions of the Australian Government Environment Protection and Biodiversity Conservation Act ensures a transparent and thorough assessment and analysis of this proposed development which has been deemed to be a controlled action.

The processes through the NSW Environmental Planning and Assessment Act 1979 provide the Clarence Valley Council and the NSW Northern Joint Regional Planning Panel (JRPP) to consider the various supporting reports provided by the proponent, and also the responses by the proponent to matters raised by the community and Government agencies.

4.3 Direct and Indirect Impacts Upon All EPBC Act Listed Threatened Species and Ecological Communities

4.3.1 Submission Issue

- Contends impacts are actual impacts, not potential impacts.

4.3.2 Submitter Entity

- Community Residents;
- Organisations.

4.3.3 Summary of Submission Issue

- Submitter contends there are actual impacts flora and fauna will face if the wildlife habitat is cleared and replaced by 140 homes, not potential impacts.

4.3.4 Response to Submissions

The Preliminary Documentation section 5.0 provides a description of the “direct and indirect impacts upon all EPBC Act Listed Threatened Species and ecological communities.” Further details of the direct and indirect impacts on the nominated species is contained in the Keystone Ecological Response Report listed in the Preliminary Documentation Attachment 6.

The PD responded to the further analysis to determine the direct and indirect impacts to the proposed development attributes of Outstanding Universal Values.

The PD provided:

- a description of the direct and indirect impacts that the proposed subdivision will have (for both impacts outside the Iluka Nature Reserve and potentially that maybe experienced inside the Iluka Nature Reserve (such as weed invasion and potential increased risk of predation by domestic pets));
- a discussion analysis to consider the potential extent to which the impacts may influence the OUV;
- further discussion on the extent of proposed development likely to affect the existing integrity, management and protective arrangements of the Iluka Nature Reserve.

The PD recognised the identified species potential impacts:

- habitat clearing, fragmentation, obstruction to fauna movement, increased mortality, light pollution;
- weed invasion, increased predation by domestic pets;
- on disturbance and abundance of nominated OUV species in the Iluka Nature Reserve;
- on the existing integrity, management and protective arrangements of the Iluka Nature Reserve.

The PD section 6.0 identifies for the development the proposed avoidance, mitigation and management measures, which include:

- delivered through the layout of the development subdivision;
- retention of best habitats on the site;
- ongoing conservation management of retained bushland areas;
- direct management actions during clearing and construction phase;
- onsite offsets;
- management through the Habitat Management Plan.

4.4 World Heritage Properties

4.4.1 Submission Issue

- Urbanisation Impact on World Heritage Property.

4.4.2 Submitter Entity

- Community Residents;
- Organisations.

4.4.3 Summary of Submission Issue

The Gondwana Rainforests of Australia

- Submitters recognised the importance, ecological significance and value of the World Heritage Property and National Parks to the community of Iluka.
- Submitter contends urbanisation is a significant influence on the Gondwana World Heritage area. References a report on the Gondwanan world heritage sites, and lists a description which assessed the Iluka rainforest was the only one singled out as being under threat.
- Submitter contends the added edge effects, and legal requirements to manage bushfire threats that require the National Parks Service to undertake hazard reduction activities adjacent to all urban areas, will have a significant negative impact on the outstanding ecological values of Iluka's World Heritage estate.
- Submitter concerned the development in its current form poses an unacceptable risk to the integrity, and ultimate status, of the adjacent World Heritage listed Iluka Nature Reserve (and the contiguous Bundjalung National Park), and provides extract -

“.....World Heritage sites play a critical role in local economies and livelihoods. Their destruction can and is having devastating consequences that go way beyond their exceptional beauty and natural value. And at a time when so many natural World Heritage sites are under threat, it is more important than ever to protect this island.” Prince Harry, The Duke of Sussex on Fraser Island 22 October 2018.

4.4.4 Response to submission

The Preliminary Documentation in section 4.0, and further in section 4.2 World Heritage Property, and section 4.3 National Heritage Places, and section 4.9 Gondwana Rainforest of Australia (Iluka Nature Reserve) Nominated Outstanding Universal Value (OUV) Constituent Species, recognises the importance and provides a detailed description of spatial location and land characteristics of the World Heritage Property (Iluka Nature Reserve) and places in context the World Heritage Property with the proposed development land.

The Preliminary Documentation section 4.0 also provides a description of the:

- Spatial context of the Iluka Village to the Iluka Nature Reserve;
- Iluka Nature Reserve Bushfire Management;
- Iluka Nature Reserve perimeter and entry points, and
- The spatial relationship with Regional National Parks.

In relation to the existing management and ongoing management of the Iluka Nature Reserve, such activities are beyond the jurisdiction of the proposed subdivision. Section 4.10 of the PD identifies various spatial relationships of the proposed action site to the Iluka Nature Reserve.

By way of example, in relation to “Iluka Nature Reserve Bushfire Management – Part of the Iluka Nature Reserve Bushfire Management Strategies are identified on the “Clarence Valley Bush Fire Management Committee – Village Protection Strategy – Iluka (18 Sept 2014)”, wherein bushfire management is to be in accordance with the Land Management Zone (LMZ) with suppression to be “As per the land management and fire protection objectives of the responsible land management agency / owner. To reduce the likelihood of spread of fires. To undertake mosaic burning”.

A further built form facility is shown as a fire trail located along part of the south western boundary of the Iluka Nature Reserve and also the road from Iluka Road through the INR to Iluka Bluff is a fire trail.

The proposed community subdivision does not add a risk to bushfire to the Iluka Nature Reserve. Part of the vegetation is replaced with urban facilities including water supply and fire hydrant connection which will add to the potential fire fighting capacity of this area of parent Lot 99 DP823635.”

The Preliminary Documentation section 5.0 Direct and Indirect Impacts Upon all EPBC Act Listed Threatened Species and Ecological Communities, provides an analysis on the identified impacts.

This section of the Preliminary Documentation (PD) also identifies – While the proposal will remove potential habitat, it will also result in the improvement of retained habitat. The proposed weed removal and weed control works as part of the conservation management of the retained habitats are likely to be of benefit to the constituent OUV species on site. These actions will also provide indirect off-site benefits to the habitat within Iluka Nature Reserve.

Further, the PD section 5.0 identifies the proposed development of the subject site is unlikely to significantly impact any of the constituent OUV species that it shares with Iluka Nature Reserve. Therefore, it will not diminish the elements “necessary to express its Outstanding Universal Value”.

The proposed action is distant from Iluka Nature Reserve and separated by retained vegetation in Park D, vegetated road reserve, and Bundjalung National Park. This intervening vegetation will act as a visual buffer, noise buffer, and a buffer to other indirect impacts such as dust, mobilised soil, or weed propagules.

The area prescribed for Iluka Nature Reserve will not be reduced as a result of the development.

The areas to be cleared from the site are not relied upon by the processes in Iluka Nature Reserve that comprise its World Heritage Values.

With respect to management of the Iluka Nature Reserve, the PD recognises Iluka Nature Reserve is protected under the National Parks and Wildlife Act (1974), and managed in accordance with the Broadwater National Park, Bundjalung National Park and Iluka Nature Reserve Plan of Management (NPWS 1997). The reserve is not pristine, in that it contains some modified areas that reflect past land uses (for example, weed infestations along the old industrial tramway line from The Bluff to the Clarence River mouth). However, its dedication and conservation management arrangements are not impacted by the proposed action at the development site.

4.5 National Heritage Place

4.5.1 Submission Issue

- Urbanisation Impact on National Heritage Place

4.5.2 Submitter Entity

- Organisations.

4.5.3 Summary of Submission Issue

Submitter makes reference to the adverse impacts of urban encroachment on the Iluka Nature Reserve National Heritage Place. The context is similar to that of the reference to the World Heritage Property.

4.5.4 Response to submission

The relevant and potential impacts for the National Heritage Place designation for the purposes of the Preliminary Documentation Submission are treated the same as the World Heritage Property – The Gondwana Rainforests of Australia (Iluka Nature Reserve).

4.6 Listed Threatened Species and Communities

4.6.1 Koala (*Phascolarctos cinereus*)

4.6.1.1 Submission Issue

- Impact on Koala

4.6.1.2 Submitter Entity

- Community Residents;
- Organisations.

4.6.1.3 Summary of Submission Issue

- Submitter contends while acknowledging Koala habitat on site has been degraded and areas are weed infested, strongly believe 50 to 60 year-old regrowth covers the entire site, does provide significant habitat for Koalas, something that can only improve over time, and its removal would have a significant impact on the local Koala population.
- Submitter contends there is a focus on a report (Lunney et al.2002), instead of acknowledge the findings of a latest study of Koalas at Iluka, *Biolink, S. Phillips & M. Hopkins*.
- Submitter asserts the Koala habitat values of the development site have been greatly understated.
- Submitter contends Koalas are included in the current “Saving our Species” program in NSW, which is being undertaken by the Office of Environment and Heritage. As a part of that program a thorough analysis of Koala tree use has just been completed by ecologist David Scotts, “A review of koala tree use across New South Wales”. Scotts' report highlights “Koalas require far more than just a few feed tree species, and identifies the documented use of a range of tree species for feed, shelter or social purposes”, and lists site characteristics as supporting information.
- Submitter notes reportedly a female Koala and Joey filmed in an Acaciatree on the subject site in late 2011.

4.6.1.4 Response to submission

The Preliminary Documentation section 4.6 Koala (*Phascolarctos cinereus*), summarises the surveys undertaken and confirms the potential habitat for the Koala on site. The details of the surveys are contained in the Preliminary Documentation Attachment 6 – Keystone Ecological Response Report.

The Preliminary Documentation and the associated reports, particularly those reports by Keystone Ecological as contained in Attachment 6 of the PD, makes reference to the species that are identified in the relevant New South Wales Government Legislation, and in relation to the species identified in the Environment Protection and Biodiversity Conservation Act 1999 and associated Regulation, in particular the species and attributes that are current at the time of the assessments that were made, and / or at the time of the various development application lodgement.

It is noted that the NSW Office of Environment and Heritage may publish from time to time various documents. Submitters make reference to a document titled “A review of koala tree use across New South Wales”. A review of the NSW Environment and Heritage website identifies a document with this title being referenced as “ISBN 978-1-925754-20-9 OEH 2018/0385 July 2018”. This document is noted with certain Copyright notations, such as:

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In relation to the photograph provided of a reported female koala and joey, there is no recognised substantive evidence to support where this photograph was taken. The PD provides a description of the onsite investigations relating to Koala.

For the Koala, the Preliminary Documentation addresses impacts and management matters particularly in section 5.0 Direct and Indirect Impacts Upon all EPBC Act Listed Threatened Species and Ecological Communities, and section 6.0 Proposed Avoidance, Mitigation and Management Measures.

4.6.2 Scented *Acronychia* (*Acronychia littoralis*)

4.6.2.1 Submission Issue

- Assessment of Scented *Acronychia*.

4.6.2.2 Submitter Entity

- Organisations.

4.6.2.3 Summary of submission

- Submitter does not accept the proponents specialists assessment that Scented Acronychia have not been confirmed to be on site. The submitter contends the Scented Acronychia does exist on site.

4.6.2.4 Response to Submission Issue

The Preliminary Documentation section 4.6 summarises the findings of the Keystone Ecological Response Report study which is listed in the Preliminary Documentation Attachment 6.

The survey results identify:

- Significant survey effort was undertaken in relation to this species – refer to the Keystone Ecological report.
- Targeted survey undertaken during the required months, with total targeted survey on site being at least 110 person hours.
- It is considered that this species has been addressed satisfactorily, using best practice techniques and sufficient effort.
- The presence of this species on site was not confirmed, although potential habitat is recognised.

For the potential Scented Acronychia, the Preliminary Documentation addresses impacts and management matters particularly in section 5.0 Direct and Indirect Impacts Upon all EPBC Act Listed Threatened Species and Ecological Communities, and section 6.0 Proposed Avoidance, Mitigation and Management Measures.

4.6.3 Spot-tailed Quoll (*Dasyurus maculatus*)

4.6.3.1 Submission Issue

- Impact on Spot-tailed Quoll.

4.6.3.2 Submitter Entity

- Organisations.

4.6.3.3 Summary of Submission Issue

- Submitter does not accept there will not be a threat to the Quoll.

4.6.3.4 Response to submission

The survey results in the Preliminary Documentation section 4.7, are as follows in relation to the Spot-tailed Quoll.

- The Spot-tailed Quoll not recorded on site during survey.
- Survey undertaken using a variety of direct and indirect methods of survey (stagwatch, spotlight, community survey, camera trap, predator scats, hair funnels).
- Survey considered adequate for this species.
- Potential habitat for the Spot-tailed Quoll on site is recognised.

Further details are provided in the Keystone Ecological Response Report study which is listed in the Preliminary Documentation Attachment 6.

For the Spot-tailed Quoll, the Preliminary Documentation addresses impacts and management matters particularly in section 5.0 Direct and Indirect Impacts Upon all EPBC Act Listed Threatened Species and Ecological Communities, and section 6.0 Proposed Avoidance, Mitigation and Management Measures.

4.6.4 Grey-headed Flying-fox (*Pteropus poliocephalus*)

4.6.4.1 Submission Issue

- Impact on Grey-headed Flying-fox.

4.6.4.2 Submitter Entity

- Organisations.

4.6.4.3 Summary of Submission Issue

- Submitter contends Grey-headed Flying-foxes are regular visitors to all areas of the Clarence Valley wherever suitable flowering occurs. The large numbers of Pink Bloodwood (*Corymbia intermedia*) on the subject site would be a regular foraging destination, so clearly no fauna surveys were conducted for Flying-foxes during that period, as none were identified on the site.
- Submitter does not accept the assessments for the Grey-headed Flying-fox for the site, and use of flying fox camps in the area. The submitter contends the cumulative impact has to be significant.

4.6.4.4 Response to submission

The survey results in the Preliminary Documentation section 4.8, are as follows for the Grey-headed Flying-fox:

- Grey-headed Flying-fox not recorded during surveys.
- Survey undertaken using appropriate direct and indirect methods (monitoring of local camps, spotlighting, audio recording).
- Survey considered adequate for this species.
- Potential habitat for the Grey-headed Flying-fox on site is recognised.

For the Grey-headed Flying-fox, the Preliminary Documentation addresses impacts and management matters particularly in section 5.0 Direct and Indirect Impacts Upon all EPBC Act Listed Threatened Species and Ecological Communities, and section 6.0 Proposed Avoidance, Mitigation and Management Measures.

4.7 Gondwana Rainforest of Australia (Iluka Nature Reserve) Nominated Outstanding Universal Value (OUV) Constituent Species

4.7.1 Submission Issue

- Impact on Gondwana Rainforest (OUV) Species

4.7.2 Submitter Entity

- Organisations.

4.7.3 Summary of Submission Issue

- The submitter contends the site contains habitat of high conservation value that should not be destroyed.
- The submitter contends the information provided in the Preliminary Documentation demonstrates the value of the site as important habitat. Therefore, the proposed development should not clear the land as proposed.

4.7.4 Response to submission

The Preliminary Documentation section 4.9 details the existing environmental attributes for the Gondwana Rainforest of Australia (Iluka Nature Reserve) Nominated Outstanding Universal Value (OUV) Constituent Species. The details are provided in the Keystone Ecological Response Report contained in the Preliminary Documentation Attachment 6.

4.8 Proposed Avoidance, Mitigation and Management Measures

4.8.1 Submission Issue

- Effectiveness of Avoidance, Mitigation and Management Measures

4.8.2 Submitter Entity

- Community Resident;
- Organisations.

4.8.3 Summary of Submission Issue

- Submitter recognises one of the main reasons for discontent were the wild life inhabitants of this area. Submitter contends the main killer of the animals is the main road into Iluka. Submitter further suggests any animals could easily be relocated into the National Park.
- Submitter supported the subdivision recognizing the bigger danger to Iluka by far is the fire hazard. By having the new development go ahead, it would make a huge safety corridor. The Golf Course is a huge clearing which would make a wide fire break in case of a bush fire.
- Submitter takes a different view and do not believe retaining 5.3ha of a 19.4 hectare forest, can be considered to be either amelioration or an offset, and there are areas where natural regeneration has, and is still, occurring without the need for supplementary planting.
- Submitter does not support the proposed responsible pet ownership management strategy – suggests should be a no cats and no dogs approach. Example provided where submitter contends no dogs and cats works well is situated at Koala Beach in Tweed Shire Council area. In relation to Iluka, a counter comment is provided submitter sights Clarence Valley Council does not have adequate signage about dog control in Iluka, also Clarence Valley Council has an unleashed dog area directly adjacent to the National Park – as a result, Koala and wildlife suffer.
- Submitter contends the project has down-played the significance of the ecological values of the site rather than offer genuine mitigation.
- Submitter questions how can an overview of environmental acceptability of a plan, which will replace forested wildlife habitat with bricks and concrete, be judged environmentally acceptable?

4.8.4 Response to Submission Issue

The Preliminary Documentation section 5.0 Direct and Indirect Impacts upon all EPBC Act Listed Threatened Species and Ecological Communities, and section 6.0 Proposed Avoidance, Mitigation and Management Measures, provide details of the proposed development measures for biodiversity values and also describes the management instruments for ongoing obligations for the Community Association through the Community Subdivision.

Also details are provided in the Keystone Ecological Response Report contained in the Preliminary Documentation Attachment 6.

4.9 Offsets Consideration

4.9.1 Submission Issue

- Scope and Extent of Offsets

4.9.2 Submitter Entity

- Organisations.

4.9.3 Summary of Submission Issue

- Submitter does not support the setting aside of 2.3ha of recovering Littoral Rainforest in Park B, and a 0.49ha of Coastal Cypress Pine community in Park C, as an “offset”. Also:
- Any further loss of habitat must be considered as significant, as no offset is proposed. Submitter contends not bulldozing parts of the forest, is **not** an offset.

4.9.4 Response to submission

The Preliminary Documentation section 7.0 provides details of the Offsets Considerations for the proposed subdivision. Further details are provided in the Keystone Ecological Response Report, particularly section 8.0 “Ameliorating and Offsetting Impacts” contained in the Preliminary Documentation Attachment 6.

The PD describes the proposed development integrated approach to ameliorating and offsetting impacts. The combination of management responsibilities, management plans and subdivision attributes result in the development being unlikely to pose a significant impact on the listed threatened species and the Iluka Nature Reserve nominated OUV constituent species, by:

- offset food tree replacement;
- understanding the site, its environment and fauna and flora habitat;
- understanding the impacts and implementing ameliorating and offsets;
- retention of the higher order habitat in retained bushland (Park areas);
- subdivision layout that reduces traffic speeds, provides fauna movement corridors, uses WSUD practices, connects to existing infrastructure;
- is within lands zoned for residential use in accordance with the NSW Regional Planning Strategy;
- incorporates a Community Subdivision Scheme with community land to be maintained by the “body corporate”;
- creates easements and positive covenants on adjoining road reserves;
- implementation of the Habitat Management Plan;
- implementation of the Landscape Master Plan;
- further details are provided in the PD section 7.0.

The Preliminary Documentation section 11.2 Proponents response to achieve good environmental outcomes, details the sound planning instruments, conditions and implementation obligations to facilitate the identified environmental outcomes for the proposed development.

4.10 Economic and Social Matters

4.10.1 Submission Issue

- The Proposed Development Attributes.
- Iluka and Clarence Valley environmental tourism.

4.10.2 Submitter Entity

- Community Residents;
- Organisations.

4.10.3 Summary of Submission Issue

- A submitter has been a resident of Iluka for the past 27 years. Submitter contends over that period has witnessed many small businesses go under for lack of population in the small town, further Iluka is a beautiful small town, the reason to live there. The location, backing onto National Park will never be able to grow as many have. The submitter believes many members of Iluka feel same way.
- A counter view is provided by a submitter that Iluka does not contain the required infrastructure, such as, it contains in the submitters submission - one doctor, no ambulance station, two fire trucks, one small school. As a result, it is contended the proposed development could be reduced by more than half or more, and to have a no cat or dog covenant.

4.10.4 Response to submission

The Preliminary Documentation section 8.0 - Economic and Social Matters, lists various economic and social attributes and provides context for the proposed subdivision development with key agency policies at the National Level, Regional / State Level, and Local Level.

The Preliminary Documentation section 8.0 recognises the proposed subdivision provides opportunity for employment and will be a stimulus for the local and regional economy.

The proposed subdivision makes provision to facilitate delivery of housing affordability for the development of the fully serviced vacant land suitable for constructing future residential dwellings. This is in accordance with the Clarence Valley Council – Clarence Valley Affordable Housing Strategy 2007 objectives, and also that of the NSW Government and Australian Government in relation to effective and well located housing supply.

The community subdivision does not include the design and construction of houses. The subdivision creates allotments upon which future houses can be constructed.

The design and configuration of the proposed allotments vary to facilitate variations in the final build form of the future dwellings. This is a positive and proactive design intent for the subdivision allotments.

It is anticipated the allotments can adequately cater for a range of future housing choice and diversity, and cater for lifestyle options available in Iluka and environs.

Section 8.0 of the Preliminary Documentation identifies the *NSW Government – Department of Planning & Environment - NORTH COAST REGIONAL PLAN 2036*, March 2017, makes reference to the Clarence Valley Urban Growth area, the precinct of the urban growth area for Iluka Includes the proposed subdivision land. This proposed subdivision land is contained within the R2 Low Density Residential Zone in the Clarence Valley Council Local Environmental Plan.

The Iluka Nature Reserve and Bundjalung National Park are contained in the NSW Government – North Coast Regional Plan 2036 as National Park and Reserve and the Clarence Valley Council Zone E1 – National Parks and Nature Reserve.

5.0 CONCLUSION

The Preliminary Documentation for the Stevens Holdings Pty Limited proposed Iluka Residential Subdivision, Hickey Street, Iluka NSW, provides a detailed and integrated assessment of the existing environment, direct and indirect impacts on the EPBC Act Gondwana Rainforests of Australia (Iluka Nature Reserve) Nominated Outstanding Universal Values (OUV) Constituent Species, and economic and social matters from the proposed Iluka Residential Subdivision as outlined in the Preliminary Documentation, and as forming part of the development application lodged with the Clarence Valley Council.

Land Ownership - As identified in the Preliminary Documentation the land owners, the Birrigan Gargle Local Aboriginal Land Council as advised in its vision, the Hickey Street development will assist the BGLALC achieve its vision for the community as it is a step toward self sufficiency, a step toward self determination, cultural interaction, education and training, employment, housing, improvements to Ngaru Village and support programs.

This is in conformance with economic self sufficiency national context as contained in the Australian Government – Aboriginal and Torres Strait Islander Act 2005 – Objects (part):

- Maximum participation of Aboriginal persons and Torres Strait Islanders;
- Promote development of self-management and self-sufficiency;
- Further economic, social and cultural development;

of Aboriginal persons and Torres Strait Islanders.

The Iluka Residential Subdivision, Hickey Street, Iluka NSW (Lot 99 DP823635) Preliminary Documentation, was placed on public advertising and exhibition between 24 October 2018 and 2 November 2018.

As part of the public exhibition process there were 17 submissions received from community residents, individuals and organisations.

The submissions received have been reviewed and issues raised have been provided with a response to finalise the Preliminary Documentation.

This Submissions Report lists the issues raised and the response to the issues have been provided.

The conclusion drawn from the Preliminary Documentation response demonstrates the proposed development by way of Community Subdivision of the land can be managed to minimise impacts on the environment and is environmentally acceptable.

Suitably Qualified Specialist Input has been provided – The proponent has commissioned suitably qualified specialists in their respective fields to provide assessments and input into the proposed subdivision and its various environmental management and reporting mechanisms.

Statutory Framework has been followed – The development application and consideration of the “controlled action” status has been conducted to provide the required consultation processes and other relevant processes particularly as required by the NSW Environmental Planning and Assessment Act and the Australian Government Environment Protection and Biodiversity Conservation Act 1999.

Extensive site analysis and integrated input to development - Extensive ecological surveys have been undertaken to understand the development land and its environment. The ecological surveys are in addition to assessments undertaken for the land and environs for cultural heritage, acid sulfate soils, possible soil contamination due to former sand mining activities, traffic assessments, bushfire assessments and management, geotechnical, stormwater management and civil engineering assessments for the built form street and infrastructure provisions.

Emphasis on proximity to World Heritage Property and National Heritage Place - Particular emphasis was taken to place in context the development land and its proximity to the designated Gondwana Rainforests of Australia (Iluka Nature Reserve), World Heritage Property and National Heritage Place.

The spatial context of the development land and the Iluka Nature Reserve in proximity to other regional national parks such as the Broadwater National Park, Bundjalung National Park, and Yuraygir National Park. These regional national parks in particular provide habitat for the proposed development potential impact threatened species, and nominated Iluka Nature Reserve OUV constituent species.

Potential impacts on species identified - The potential impacts for the DEE identified threatened species of the Koala, Scented Acronychia, Spot tailed Quoll, Grey-headed Flying-fox were identified through the proposed development analysis and assessments as follows:

- Direct loss of foraging habitat;
- Direct loss of sheltering habitat;
- Fragmentation of habitat;
- Edge effects;
- Road strike;
- Dog attack.

The potential impacts for the DEE nominated Iluka Nature Reserve OUV constituent species – White-eared Monarch, Wonga Pigeon, Wompoo Fruit-Dove, Rose-crowned Fruit-cove, Superb Fruit-Dove, Rufous Fantail, Eastern Free-tail Bat, Little Bentwing Bat, and Eastern Long-eared Bat, were considered through the development analysis process to include:

- Habitat clearing, fragmentation, obstruction to fauna movement, increased mortality and light pollution;
- Weed invasion, increased predation by domestic pets;
- On the distribution and abundance of nominated OUV species in the Iluka Nature Reserve; and
- On the existing integrity, management and protective arrangements of the Iluka Nature Reserve.

Ameliorating and offsetting measures adopted - Having regard to the potential impacts identified for the particular species, an integrated approach to various ameliorating and offsetting measures are proposed to be implemented for the development. The primary instrument for the implementation of these measures is through the urban design of the community subdivision layout and built form characteristics, and preparation of the Habitat Management Plan.

Environmental Management and Reporting Developed - The development key biodiversity management tool is the development and implementation of the Habitat Management Plan (HMP). The HMP is to be implemented in conjunction with the other development management plans. This integrated approach incorporates the following important strategies and approaches:

- Cultural Heritage Plan
- Urban Design
- Habitat Management Plan
- Landscape Master Plan
- Nest Box Strategy
- Land Title Strategy
- Fencing Strategy
- Construction Management
- Water Quality Strategy
- Threatened Species Management
- Nominated Iluka Nature Reserve OUV Constituent Species Management
- Ameliorating and Mitigation Approach
- Offset Package

- Connectivity Approach
- Fire Management
- Education and Awareness Approach
- Infrastructure Services
- Outcomes Based Conditions Approach

Strategic Position of the Land within the Village of Iluka - The urban design facilitates the subdivision on land identified for urban development in the NSW Government Department Planning and Environment – North Coast Regional Plan 2036, as part of the Clarence Valley Urban Growth Area. The development is also situated on land zoned R2 Low Density Residential in the CVC Local Environmental Plan 2011. The proposed subdivision is not out of sequence from an urban infrastructure servicing perspective.

Submissions Report to be forwarded to DEE and the Environment Minister - As required by the Australian Department of Environment and Energy (DEE), and the provisions of the Environment Protection and Biodiversity Conservation Act 1999, this Submissions Report, the final Preliminary Documentation and copies of all submissions received will be forwarded to the DEE and the Environment Minister for consideration.